IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NOs : 15472 & 15473 of 2006

DATED: 15-9-2006

WP 15472 OF 2006

Between:

K.Malleswari petitioner

And

District Collector,
Chittoor & 3 others Respondents

W.P. NO. 15473 OF 2006

Between:

K.Venkata Ramaiah petitioner

And

District Collector,
Chittoor Dist and others Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION Nos. 15472 & 15473 of 2006

ORAL ORDER:

The respective petitioners are Smt K.Malleswari and Sri K.Venkata Ramaiah. They allege that the third respondent's order dated 7.7.2006 is illegal. By the said order, the earlier DKT pattas issued to the petitioners in the year 1986 were cancelled and the extents of land covered by the pattas were resumed to the State, in terms of a condition of the D-form patta granted, for the purpose of providing house sites to the beneficiaries selected under 'Indiramma programme' in Perumallapalle and Pudipatla Grampanchayats. The petitioners are also informed that the ex-gratia equivalent to the market value would be paid to them in lieu of the land resumed in favour of the Government, as per the guidelines in G.O.Ms. No.1307 Revenue (Assignment-I) Department dated 23.12.1983.

Earlier the petitioners together filed W.P. No. 14584 of 2006 assailing the same order of the second respondent, as is assailed in this writ petition. W.P. No. 14584 of 2006 was dismissed by this Court by the judgment dated 18.7.2006. Suppressing the filing of W.P.No. 14584 of 2006 and suppressing the fact that the writ petition was dismissed, the petitioners have filed these writ petitions separately, in gross abuse of the process of the Court. The petitioners have approached this Court with unclean hands and are not entitled to any

discretionary remedy by way of mandamus. In any event, relief sought in this writ petition is barred by the principles of res-judicata and constructive res-judicata, in view of the dismissal of W.P. No. 14584 of 2006.

In the circumstances aforesaid, on merits as well as on the basis of the conduct of the petitioners, these writ petitions are dismissed.

As the petitioners have tried to over-reach the process of law and have litigated in gross abuse of the process of law, this Court considers it appropriate to dismiss the writ petitions with costs of Rs.25,000/- in each of the writ petitions, payable by each petitioner to the Secretary, A.P.State Legal Services Authority, High Court of A.P. Buildings, Hyderabad, who may, if the petitioners default in payment of these costs, recover the same in accordance with law.

Accordingly, the writ petitions are dismissed with costs.

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GODA RAGHURAM,J

DATE: 15-9-2006

TVK

Note: A copy of this order to be furnished to the Secretary, A.P. State Legal Services Authority, High Court of A.P. Buildings, Hyderabad.

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NOs : 15472 & 15473 of 2006

DATED: 15-9-2006

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